

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO.2980 OF 2003
IN
SUIT NO.3370 OF 1990

Mr.Mahesh B.Parikh and Ors. .. Plaintiffs

Vs.

Vijay Deep Developments and Ors. ..Defendants

Mr.M.B.Parekh plaintiff in person

Mr.Sunil Purohit i/b Wadia Ghandy and Co. for
defendant no.9 and 10

Ms.Meena Madhusudhan i/b Mahendra Patel &
Associates for defendant no.11 to 15

CORAM : S.U.KAMDAR, J
DATED : 16TH SEPTEMBER, 2005

P.C.:

. The present motion is taken out for appointment of Commissioner in respect of building Gokul situated at 99, Walkeshwar Road, Mumbai 400 006. It has been contended that large number of unauthorised alteration has been carried out. Plaintiff appearing in person states that by prayer clause (a) of the motion he is seeking appointment of Commissioner to carry out construction as covered under (a-1 to a-3). By prayer clause (b)

mandatory order is sought for demolition of alleged unauthorised construction. By prayer clause (c) plaintiff is seeking mandatory order directing defendant no.1 to 3 to deposit in court the requisite Completion Certificated issued by the Bombay Municipal Corporation in respect of the said building. Prayer clauses (a), (b) and (c) cannot be granted at interim stage. Motion is dismissed accordingly.